

FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2007 OCT 18 AM 9:56

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Casey Michael WIDMAN

Defendant.

Magistrate Case No.

'07 MJ 2489 DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section

1324(a)(2)(B)(iii)-


Bringing in Illegal Alien(s)

Without Presentation

The undersigned complainant being duly sworn states:

On or about **October 17, 2007**, within the Southern District of California, defendant **Casey Michael WIDMAN**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Brenda AGUIRRE-Ponce**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT
 Sara Esparagoza, U.S. Customs and Border
 Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 18th DAY OF
October, 2007.


 UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Brenda AGUIRRE-Ponce** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On October 17, 2007 at approximately 0522 hours **Casey Michael WIDMAN (Defendant)** made application for admission into the United States from Mexico at the San Ysidro, California Port of Entry. Defendant was the driver and sole visible occupant of a silver Dodge 1500 pick up truck. Upon inspection before a Customs Border Protection (CBP) Officer, Defendant presented his California Identification card and stated he was a United States citizen. Defendant gave two negative declarations and stated he was going to work at NASSCO in San Diego, California. The Inspecting Officer noticed that rear seat was raised abnormally from the floor and further inspected the area. During the inspection the Officer opened the driver side door and saw a human foot under the rear seat. Defendant and the vehicle were escorted to secondary for further inspection.

In secondary, two females were discovered concealed in a compartment under the rear seat. The two females were removed from concealments. One was identified as Brenda AGUIRRE-Ponce, a citizen of Mexico without legal documents to enter the United States. She is now identified as a material witness.

During a videotaped interview Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant denied any knowledge of attempting to smuggle undocumented aliens.

A videotaped interview was conducted with Material Witness. Material Witness stated she is a citizen of Mexico without legal rights to enter the United States. Material Witness stated she was traveling to an unknown location in California. Material Witnesses stated her brother in law in the United States was going to pay an unknown person an unknown amount of money upon her arrival to the United States.


SIGNATURE OF COMPLAINANT

Sara Esparagoza, U.S. Customs and Border
Protection Enforcement Officer


UNITED STATES MAGISTRATE JUDGE